

REMARKS

Applicant respectfully requests reconsideration of this application as amended.

Office Action Rejections Summary

Claims 1, 2, 4 – 9, 11, 13, 15 – 22, 24, 25 and 27 – 31 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,023,507 of Wookey (hereinafter "Wookey"). Claims 3, 10, 23, and 26 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Wookey.

Status of Claims

Claims 1 – 31 remain pending in the application. Claims 1, 15, 19, 27, and 28 have been amended to more properly define pre-existing claim limitations. The amended claims are supported by the specification and no new matter has been added. No new claims have been added. No claims have been canceled. Claims 12 and 14 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 12 and 14 have each been rewritten from their original dependent forms to independent claims that include all the limitations of their base claim. As such, claims 12 and 14 are in condition for allowance. Therefore, the following comments are directed toward the rejected claims.

Claim Rejections Under 35 U.S.C. §102(b)

Claims 1, 2, 4 – 9, 11, 13, 15 – 22, 24, 25 and 27 – 31 have been rejected under 35 U.S.C. §102(b) as being anticipated by Wookey. Applicant respectfully submits that claims 1, 2, 4 – 9, 11, 13, 15 – 22, 24, 25 and 27 – 31 are not anticipated by Wookey. Amended independent claim 1 recites:

A method, comprising:
connecting at least one remote monitoring digital processing system to at least one monitored digital processing system; and
executing at least one diagnostic program from the remote monitoring digital processing system to run a command on the monitored system to generate diagnostic information relating to the monitored digital processing system. (emphasis added)

Amended independent claim 15 recites:

An apparatus, comprising:
means for connecting at least one remote monitoring digital processing system to at least one monitored digital processing system; and
and
means for ***executing at least one diagnostic program from the remote monitoring digital processing system to run a command on the monitored system to generate diagnostic information relating to the monitored digital processing system.*** (emphasis added)

Amended independent claim 28 recites:

A machine readable medium having stored thereon instructions, which when executed by a processor, cause the processor to perform the following:
connecting at least one remote monitoring digital processing system to at least one monitored digital processing system; and
executing at least one diagnostic program from the remote monitoring digital processing system to run a command on the monitored system to generate diagnostic information relating to the monitored digital processing system. (emphasis added)

Wookey discloses a monitoring system in which monitored computers, both slaves and masters, run diagnostics at scheduled intervals. The diagnostic information from all the computers is communicated to a service center at scheduled intervals. (Wookey, col. 3, lines 49 – 61, and FIG. 2). The monitored system includes remote monitoring software, and the remote monitoring software includes the monitor program 421 running on each of the slaves 401 – 407 and on the master 409. (Wookey, col. 5, lines 51 – 55, and FIG. 4). In other words, the monitoring software originates from and is executed on the master and slave computers to run diagnostics. Nothing in Wookey

discloses the execution of a diagnostic program from the service center to run a command on the master and slave computers to generate diagnostic information. With respect to this absent feature, the Office Action states:

Wookey discloses . . . executing at least one diagnostic program on the remote monitoring digital processing system to generate diagnostic information relating to the monitored digital processing system (column 10: line 61-column 11: line 7 and column 13: lines 13-19). (The service center is capable of executing commands in the remote machine (column 10: lines 61-65). Also, when the system is in monitor mode, a monitor scan is performed on the remote monitor to determine which monitored systems exist (column 13: lines 13-18). Both are executing a diagnostic program on the remote monitoring machine to generate diagnostic information relating to the monitored digital system.)

(Office Action, 6/17/04, p. 3)

Applicant respectfully submits that Wookey does not disclose any execution of a diagnostic program from the service center. If fact, Wookey discloses only that the communications software provides the service center with remote access for the purpose of copying files to or copying files from the monitored system (Wookey, col. 10, lines 61 – 67). In contrast, independent claims 1, 15, and 28 each include the limitation of “executing at least one diagnostic program from the remote monitoring digital processing system to run a command on the monitored system to generate diagnostic information relating to the monitored digital processing system.” As such, applicant respectfully submits that claims 1, 15, and 28 are not anticipated by Wookey under 35 U.S.C. §102(b) and request removal of the rejection.

Claims 2, 4 – 9, 11, and 13 depend either directly or indirectly from independent claim 1. Claims 16 – 18 depend either directly or indirectly from independent claim 15. Claims 29 – 31 depend either directly or indirectly from independent claim 28. As such, all these dependent claims include the limitation

of “executing at least one diagnostic program from the remote monitoring digital processing system to run a command on the monitored system to generate diagnostic information relating to the monitored digital processing system.”

Accordingly, claims 2, 4 – 9, 11, 13, 16 – 18, and 29 – 31 are also not anticipated by Wookey under 35 U.S.C. §102(b).

Claim 19 recites:

An apparatus, comprising:
a remote monitoring digital processing system;
a command residing on the remote monitoring digital processing system to execute a diagnostic program within the remote monitoring system; and
a monitored digital processing system coupled with the remote monitoring digital processing system. (emphasis added)

Wookey discloses a monitoring system in which monitored computers, both slaves and masters, run diagnostics at scheduled intervals. The diagnostic information from all the computers is communicated to a service center at scheduled intervals. (Wookey, col. 3, lines 49 – 61, and FIG. 2). The monitored system includes remote monitoring software, and the remote monitoring software includes the monitor program 421 running on each of the slaves 401 – 407 and on the master 409. (Wookey, col. 5, lines 51 – 55, and FIG. 4). In other words, instructions to execute the monitoring software reside on the master and slave computers. Nothing in Wookey discloses a command residing on the service center to run a command on the master and slave computers to generate diagnostic information.

In contrast, claim 19 includes the limitations “a command residing on the remote monitoring digital processing system to execute a diagnostic program within the remote monitoring system.” As such, applicant respectfully submits that claim 19 is not anticipated by Wookey under 35 U.S.C. §102(b) and request removal of the rejection.

Claims 16 – 18 depend either directly or indirectly from independent claim 19 and as such, each include the limitation of “a command residing on the remote monitoring digital processing system to execute a diagnostic program within the remote monitoring system.” Accordingly, claims 16 – 18 are also not anticipated by Wookey under 35 U.S.C. §102(b).

Claim Rejections Under 35 U.S.C. §103(a)

Claims 3 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Wookey as applied to claim 2. Claim 10 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Wookey as applied to claim 9. Claims 3 and 10 depend from independent claim 1, and claim and thus includes the limitation of “executing at least one diagnostic program from the remote monitoring digital processing system to run a command on the monitored system to generate diagnostic information relating to the monitored digital processing system.”

For reasons similar to those discussed above with respect to claim 1, nothing in Wookey teaches the limitation of “executing at least one diagnostic program from the remote monitoring digital processing system to run a command on the monitored system to generate diagnostic information relating to the monitored digital processing system.” As such, applicants respectfully submit that claims 3 and 10 are patentable over Wookey under 35 U.S.C. §103(a) and request removal of the rejection.

Claim 23 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Wookey as applied to claim 22 above. Claim 26 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Wookey as applied to claim 25. Claims 23 and 26 depend from independent claim 19 and thus includes the limitation of “a command residing on the remote monitoring digital processing system to execute a diagnostic program within the remote monitoring system.”

For reasons similar to those discussed above with respect to claim 19, nothing in Wookey teaches the limitation of "a command residing on the remote monitoring digital processing system to execute a diagnostic program within the remote monitoring system." As such, applicant respectfully submits that claims 23 and 26 are patentable over Wookey under 35 U.S.C. §103(a) and request removal of the rejection.

In conclusion, applicant respectfully submits that in view of the arguments and amendments set forth herein, the applicable objections and rejections have been overcome.

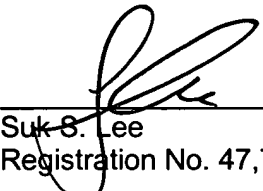
If the Examiner believes a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact Suk Lee at (408) 720-8300.

If there are any additional charges, please charge our Deposit Account No. 02-2666.

Respectfully submitted,

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